GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2725
ANSWERED ON:10.08.2005
EXTRADITION TREATY WITH NEPAL
Bishnoi Shri Kuldeep

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the security agencies have expressed their inability in apprehending criminals absconding to Nepal after committing crimes in the country;

(b) if so, the steps being taken by the Government in this regard;

(c) the measures taken to check the activities of criminals of Nepalese origin; and

(d) the reasons for not having extradition treaty with Nepal?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI E. AHAMED)

(a) to (d) Extradition arrangements between India and Nepal are presently governed by the Treaty of Extradition of 1953. A need to revise this Treaty was felt as the Treaty has proved to be inadequate in view of the changes in the nature of crimes and revised international norms of extradition. Among other shortcomings, under the existing Treaty, extradition is restricted to limited offences and to the nationals of the requesting State only.

With the aim of removing the shortcomings of the old Treaty, India and Nepal have concluded discussions on an updated Extradition Treaty. The text of the new Extradition Treaty between Nepal and India was finalized during Home Secretary-level talks on January 19-20, 2005. The Treaty would enter into force following signature and ratification by the two Governments.

Governments of India and Nepal have also finalised the text of the Agreement on Mutual Legal Assistance in Criminal Matters. This Agreement will also enter into force following signature and ratification by the two Governments Once concluded, these two Agreements will enable bilateral cooperation in investigation, and trial of criminal and terrorist activities in an institutionalised manner.